

HAWAII ADMINISTRATIVE RULES

TITLE 2

OFFICE OF THE LIEUTENANT GOVERNOR

SUBTITLE 4 ELECTIONS

CHAPTER 52

PRIMARY ELECTIONS

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§2-52-1 Nomination papers; when available. (a) Any individual wishing to take out nomination papers to file for candidacy, pursuant to HRS §12-3, shall complete an application form before receiving the nomination papers. An application for nomination papers shall be in the form prescribed and provided by the chief election officer, attached hereto as Appendix "I" and "J", both dated July 1, 2000.

(b) Nomination papers, which shall be substantially similar to a form attached hereto as Appendix "I" and "J", both dated July 1, 2000, shall be available from the first working day of February in every even-numbered year for the regularly scheduled election contests for that year.

(c) In the case of a special primary or special election, nomination papers shall be made available at least ten days prior to the close of filing.

(d) If a special primary or special election to fill a vacancy is required by law, nomination papers

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shall be available only after the vacancy occurs.  
[Eff and comp 9/16/96; am 9/18/98; am and comp SEP 18  
2000] (Auth: HRS §11-4) (Imp: HRS §§12-3, 12-4)

§2-52-2 Nomination papers; qualification of signatories. (a) To determine whether an individual is qualified to sign a nomination paper, the chief election officer, clerk, or designated representative shall determine whether the signatory fulfills the requirements of section 2-52-3; provided that a properly executed voter registration form shall be effective for such verification purposes if it is received by the clerk and the affiant's name is entered in the statewide voter registration system on or before the date on which the nomination paper is filed.

(b) If a voter signs more than one nomination paper for the same office, then the signature on the nomination paper that is filed first will be accepted; provided that a voter may sign as many nomination papers for an office as there are seats available. The chief election officer or clerk shall use the date and time filed that is recorded on each nomination paper to determine which was filed first. [Eff and comp SEP 18 2000 9/16/96; comp SEP 18 2000] (Auth: HRS §11-4) (Imp: HRS §§12-3, 12-4, 12-5)

Historical note: §2-52-2 is based substantially upon §2-34-11 [Eff 9/12/88; R 9/16/96]

§2-52-3 Nomination papers; verification of signatories. (a) Upon receipt of a nomination paper, the chief election officer, clerk, or their designated representatives, shall count and determine whether the nomination paper has met the signature requirements pursuant to HRS §12-5.

(b) If the nomination paper contains at least the required number of signatures pursuant to HRS §12-5, then the chief election officer, clerk, or designated representative shall verify whether the signatory is

eligible to sign the nomination paper. To be eligible, the signatory must:

- (1) Reside and be registered to vote in the district from which the candidate is running for office;
- (2) Be eligible to vote for the candidate when the nomination paper is filed; and
- (3) Be an active voter registered at the residence address which appears on the nomination paper.

(c) The chief election officer, clerk, or designated representative shall use the statewide voter registration system to verify whether the signatory is eligible to sign the nomination paper.

- (1) If the signatory is an eligible voter pursuant to subsection (b), then the signatory shall be counted;
- (2) If the signatory is not an eligible voter pursuant to subsection (b), then the signatory shall not be counted;
- (3) If there are duplicate signatures on a nomination paper, and the signatory is an eligible voter pursuant to subsection (b), then the signatory shall be counted once; and
- (4) If the signatory does not provide all of the information required by HRS §12-3(a)(5) or if the information is not legible, then the signatory may not be counted.

(d) The chief election officer or clerk may verify that the signature on the nomination paper corresponds with the signature on the voter's registration form. If the signature does not correspond, the signatory shall not be counted. The chief election officer, clerk, or designated representative shall indicate on the nomination paper that the signature is invalid because it does not match the signature on the voter's registration form.

(e) The chief election officer, clerk, or designated representative shall verify only as many signatories as needed to ensure that the nomination paper has met the signature requirements of HRS §12-5.

[Eff and comp 9/16/96; am 9/18/98; am and comp SEP 18 2000] (Auth: HRS §11-4) (Imp: HRS §§12-3, 12-4, 12-5)

§2-52-4 Nomination papers; candidate name on ballot.

(a) A candidate's name, including the Hawaiian or English equivalent or nickname, shall be limited to twenty-seven characters; provided that the twenty-seven characters shall include punctuation and blank spaces, and shall be set on one line.

(b) The name of the candidate appearing on the ballot may be the candidate's legal name or the name by which the candidate is most commonly known. If a candidate seeks to have a name other than the candidate's legal name, its commonly recognized equivalent, or maiden name, appear on the ballot, the candidate, at the time of filing nomination papers shall also file a notarized affidavit in which the candidate attests to the fact that the name to appear on the ballot is the name by which the candidate is most commonly known throughout the district from which the candidate seeks election.

(c) The ballot shall contain the names of the candidates in the format and order specified as follows:

- (1) Last name in capital letters followed by a comma; followed by a blank space;
- (2) First name in upper and lower case letters followed by a blank space;
- (3) Middle initial or initials; provided that each initial shall be followed by a period;
- (4) Suffix such as "Jr." or "III" preceded by a blank space and a comma; and
- (5) Nickname or Hawaiian equivalent if requested by the candidate in parenthesis.
- (6) An example of a correct format is:

HAWAII, Jon T., Jr. (Keoni)
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(d) Titles, such as Doctor, Senator, Reverend, MD, or Major, shall not be printed on the ballot.

(e) Slogans shall not be printed on the ballot.

(f) The chief election officer shall be authorized to conform all names printed on the ballot to the format prescribed in subsection (c). [Eff and

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comp 9/16/96; am 9/18/98; am and comp SEP 18 2000] (Auth: HRS §11-4) (Imp: HRS §§11-112, 12-3)

§2-52-5 Nomination papers; political party affiliation or nonpartisan designation. The political party affiliation or nonpartisan designation of the candidate shall be placed on the nomination paper by the chief election officer or the clerk prior to releasing the form to the candidate. The political party affiliation or nonpartisan designation shall not be changed from that indicated on the nomination paper and separate sheets. If the candidate wishes to change the political party affiliation or nonpartisan designation, the candidate may request the appropriate nomination paper from the chief election officer or the clerk. [Eff and comp 9/16/96; comp SEP 18 2000] (Auth: HRS §11-4, 12-3) (Imp: HRS §12-3)

§2-52-6 Filing fee; payment of. In the case of federal, state, or county offices, payment of filing fees for nomination papers shall be made by cashier's check, certified check, money order, or cash. [Eff and comp 9/16/96; am and comp SEP 18 2000] (Auth: HRS §11-4) (Imp: HRS §§12-3, 12-6)